

**MEMO ENDORSED**

June 25, 2008

VIA FACSIMILE (914) 390-4152
Honorable Kenneth M. Karas USDJ
United States District Court
Southern District of New York
300 Quarropas Street, Chambers 533
White Plains, New York 10601- 4150

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Re: SwordPen.Com Inc. v. Henry Holt and Co. et al.
Case No: 07 Civ. 10955 (KMK)

Dear Judge Karas:

I am the plaintiff in the case of SwordPen.Com Inc. v. Henry Holt and Co. ("SwordPen/Lewinson"). If possible I humbly request permission to explain to His Honor that there were not "numerous communications/conversations with the offices of Bruce Minsky" with regard to his "resigning" on June 19, 2008 from this case. My counsel resigned out of sheer panic after receiving Mr. Balin's response. Upon receipt of the large package he (Minsky) refused to open it for three days, and later told me that after opening it and viewing it's contents, that "he just didn't want to deal with it." And so he went off on a ten-day vacation. It was only after numerous (a dozen or so) phone calls and my begging him for the package that he finally allowed me to stop by his house to pick it up and to begin writing a response. I wrote the response in about 15 to 20 hours. However, since I am not a lawyer, I can't look up and respond to all the cases that Mr. Balin is quoting.

What I respectfully would like to explain to His Honor is that the firm of Wolf, Block et al. originally took this case on a contingency basis. They made it clear that they would leave the decision open as to whether they were willing to serve Holt down the line. When push came to shove (and after billing *themselves* roughly 20K in fees), it became a financial issue (not a legal one). The "powers that be" at Wolf, Block voted to not continue with this case, and they instructed the partners that were working on my case to cease. They felt that the time billed could easily be \$100,000-200,000 and that sales of the book in question ("Can You Say Peace") might not yield enough revenue; in short, they passed because they did not see any ultimate prize of seven figures. They were always upright with me and clear as to their intentions – which were never more than financial. They were totally professional and explained that they just couldn't *afford* to be altruistic. My own specific attorney at their firm was probably more disappointed than I was and said he would have loved to meet Tremaine in court.

SwordPen

sharp stories for keen kids

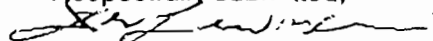
At that point my destiny went further downhill and (through a friend) I called Bruce Minsky who took the case on the same contingency basis (this time asking for out of pocket expenses) to which I agreed. I asked Mr. Minsky if he had experience in intellectual property and he said he did a lot of work in that field and had an associate that is a top litigator in the field. Ultimately, after paying Minsky \$3500.00, and after that litigator viewed and studied all the documents involved, he felt that although I was obviously plagiarized – nevertheless it would be a brutal knock down, drawn out experience against Mr. Balin – a match he (Minsky's litigator) was not ready to do on contingency. And so Mr. Minsky practically begged me to allow him to withdraw the case or to fire him. I refused to do so and so he resigned.

At present any lawyer I call immediately asks why the other two firms bolted. I truthfully tell them that Wolf, Block did not feel it was financially worth the trouble to set aside \$200K of potential billing time to fight my war - although they actually believed that the case was such an obvious case of plagiarism that Holt would immediately try and settle. And then I tell them Minsky just panicked after his litigator friend told him it would take him forty hours to even respond to Mr. Balin's forest of paperwork, and that this is a case that could go on for quite some time. That said Your Honor, I respectfully request that I be given the opportunity to respond on my own if I can't find a lawyer to represent me. I will find a law clerk or para-legal to look up the cases if that is what it takes. And I would appreciate His Honor's opinion if He feels I'm fighting a losing battle. I recall that famous saying that "only a fool would represent himself." As I said, I already wrote our response to Mr. Balin and just need a few days to insert all the Exhibits and to package it up nicely.

I would like to continue this case against Holt and their legal pit-bulls. Innuendos and rapscaillon scholarly legalese, fine tuned into an art form, seem to be part of many attorneys' arsenal today and I'll deal with that. I'm merely requesting more time if necessary, and ultimately, I'd like to know if I will be liable to reimburse Holt for my suing them for plagiarizing my story. This was a major fear for Mr. Minsky – who suggested that we "quit while we're behind." Obviously I am a glutton for punishment and I don't mind being beat up by a bully to pursue what I believe is outright theft. I still believe in the judicial system and in men like His Honor who are entrusted with preserving what is left of it. Clearly the facts are in dispute. Where there is smoke there is fire. At this point I would just like to proceed with some caution, but I would like to prove to a jury that the fire here is the arrogance of companies like Holt that feel they are above the law.

With Sincere appreciation to the Court for it's mercy for upholding the law, and for it's consideration of this matter.

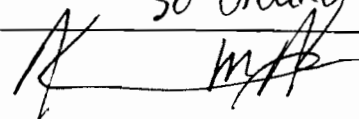
Respectfully submitted,


Zev Lewinson (SwordPen)

CC: Robert Balin, Esq. via fax (212) 489-8340
Bruce Minsky via fax (702) 973-6607

The Court will give Plaintiff until August 1, 2008 to find replacement counsel. However, Plaintiff should know that the law does not permit a corporation to proceed pro se or to have an individual acting in a pro se capacity, represent a corporation.

So ordered.


6/26/08